

Exhibit No. 2Date: 2/12/15Bill No. HB130

February 12, 2015

Senator Scott Sales, Chair

Judiciary Committee  
Montana Senate  
PO Box 200500  
Helena, MT 59620-0500

Chairman Sales and Members of the Committee:

For the record my name is Jim Ahrens and I am here today representing the American Cancer Society Cancer Action Network. ACS CAN is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society, and supports evidence-based policy and legislative solutions that eliminate cancer as a major health problem.

We thank the bill sponsor for her efforts to try to address the high risk of skin cancer from using tanning devices that emit UV radiation. However, we cannot support this HB 130. Given the new knowledge of how harmful exposure to youth is we can only support legislation that prohibits youth under the age of 18 from using tanning devices with no exemptions.

There is another bill that does just that, SB 125 sponsored by Senator Roger Webb. It prohibits youth under 18 from using tanning devices. We ask this committee to oppose this bill and allow the other bill to make its way through the system.

We cannot support parental consent legislation because it gives a false sense of security that children will be protected from harmful exposure via tanning devices because their parents will do the right thing and prevent them from tanning.

You heard the facts about indoor tanning's direct link to an increase in skin cancer. It is estimated that over 400,000 skin cancer cases in the United States are attributed to indoor tanning each year including 245,000 basal cell carcinomas, 168,000 squamous cell carcinomas, and 6,000 melanomas. As a result, tanning devices have been placed in the same carcinogenic category as asbestos, tobacco, and other harmful substances by the World Health Organization.

We do not allow children to use tobacco if their parents say it is okay why wouldn't we do the same for tanning devices?

Exhibit No. \_\_\_\_\_

Date: \_\_\_\_\_

Bill No. \_\_\_\_\_

Some will argue that it is better to compromise so that we can then amend to prohibit youth under 18. ACS CAN does not agree as our research shows differently. We looked at the 9 laws that prohibit youth under 18 to use tanning devices to see how many of these states first passed weaker parental consent laws. This is what we found:

- Presently there are 9 states with under 18 laws without exemptions. Of these 9, 6 originally had bills that contained an exemption for parental permission/consent.
- California: In 1988 CA passed a bill allowing minors age 14-18 to tan with permission of parent or guardian. It took CA 23 years before it became a leader in skin safety passing a strong under 18 bill in 2011.
- Illinois: In 1992 IL passed a bill allowing minors age 14-17 to tan with parental permission. It took IL 21 years to amend their bill.
- Louisiana: In 1990 LA passed a bill allowing minors age 14-18 to tan with consent from a legal guardian. Minors under age 14 had to be accompanied by an adult. It took LA 24 years to amend their bill.
- Delaware: In 2009 DE passed a bill allowing minors age 14-18 to tan only with parental consent. Those younger than 14 were prohibited from tanning unless "medically necessary." It took DE 5 years to amend their bill.
- Minnesota: In 1993 MN passed a regulation requiring the owner or operator of a tanning salon to witness the person's parent's or legal guardian's signing and dating of a warning statement required for a person under the age of 16. MN passed a strong bill in 2014. So it took MN 21 years to amend their bill.
- We are still on the hunt for the date of passage for original indoor tanning bills TX.

Bottom line, it may take less time to ultimately pass a strong bill than pass a parental consent bill and wait for its amendment.

I am confident that with further education we will be able to pass legislation that prohibits youth use of tanning devices. We hope that you will work with us this session to oppose HB 130 and support SB 125.

Sincerely,

James F. Ahrens

American Cancer Society Cancer Action Network, Contract Lobbyist

4860 Craig Frontage Rd

Cascade Mt 59421

406-468-9382/406-439-1585 (CELL)

[jimahrensmt@gmail.com](mailto:jimahrensmt@gmail.com)

3550 Mullan Road, Suite 103 • Missoula, MT • 59808  
Phone 406.728.1004 • Fax 406.327.0146